

27 sets forth elements of the heat exchanger, including a core, a tube, a load bearing member and a first mount. This follows the organization of the species claims, which in turn, further recite particular elements of the generic claim. Namely, the first mount is further defined in the dependent species claims as: "adjustable to allow the tube to expand separately from the load bearing member" (Claim 28); "one from the group of a weld and a brazing" (Claim 29); and "capable of substantially restraining axial movement of the tube" (Claim 34). Therefore, this aspect of MPEP § 806.04(d) is also met.

#### Conclusion

As demonstrated herein, the new claims 27-52 contain both species claims and claims which are generic to the species. As such, the Applicants respectfully request that the Examiner withdraws his election of species requirement.

///

///

///

///

///

///

In an effort to further and expedite the prosecution of the subject application the Applicants kindly invite the Examiner to telephone the Applicants' attorney at (310) 791-9120, if the Examiner has any questions or concerns.

Respectfully submitted,

Dated: \_\_\_\_\_

6/21/02

Ephraim Starr  
Reg. No. 41325  
Attorney for Applicants

Honeywell International, Inc.  
Garrett Engine Boosting Systems  
23326 Hawthorne Boulevard, Suite 200  
Torrance, CA 90505  
(310) 791-9120